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COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

SUBDIVISION REVIEW BOARD

MEETING DATE June 5, 2006	CONTACT/PHONE Nick Forester 781-1163	APPLICANT David and Lynn Hixson	FILE NO. SUB2004-00088
SUBJECT Request by David and Lynn Hixson for a Tentative Parcel Map (CO 04-049) to subdivide an existing 10.05 acre parcel into two parcels of 5 acres and 5.05 acres for the purpose of sale and/or development and designate the project site as a TDC Receiver Site. The project includes off-site road improvements to Templeton Road. The proposed project is within the Residential Rural land use category and is located at 2975 Templeton Road approximately .75 miles east of the city of Atascadero. The site is in the El Pomar planning area.			
RECOMMENDED ACTION 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Tentative Parcel Map CO 04-049 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and the CA Code of Regulations Section 15000 et seq.) has been issued on February 28, 2006 for this project. Mitigation measures are proposed to address agricultural resources, biological resources, public services/utilities, recreation and transportation/circulation.			
LAND USE CATEGORY Residential Rural	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 034-261-009	SUPERVISOR DISTRICT(S) 1
PLANNING AREA STANDARDS: None applicable to this project			
LAND USE ORDINANCE STANDARDS: L.U.O. section 22.24.010-Transfer of development credits			
EXISTING USES: Single family residence, residential second unit, accessory structures			
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Residential Rural/Residential use <i>East:</i> Residential Rural/Residential use <i>South:</i> Agriculture/Residential use <i>West:</i> Residential Rural/Residential use			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242</small>			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Templeton Area Advisory Group, Public Works, Environmental Health, Ag Commissioner, County Parks, CDF, Templeton Community Services District, APCD,	
TOPOGRAPHY: Slight slope	VEGETATION: Grasses and oak trees
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: February 17, 2006

ORDINANCE COMPLIANCE:

Minimum Parcel Size

Section 22.22.060 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The standards are based on the distance from an urban areas, fire response time, type of access serving the property and the topography of the site. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for seven acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Remoteness	5 miles from the Atascadero urban reserve line	5 acres
Fire Hazard/ Response Time	Within the 15 minute response time In the moderate hazard fire hazard area	5 acres
Access	Located on a 40 foot right-of-way	5 acres
Slope	Average slope is between 16% and 30%	7 acres

TDC Receiver Site

Section 22.22.60 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Rural land use category. The site qualifies for 5 acre parcels except that the average slopes of the proposed parcels are 14.2 percent for proposed parcel two and 16.1 percent for proposed parcel one. Because proposed parcel one has slopes over 15%, the minimum parcel is 7 acres. Because the property is 10 acres in size, it cannot be divided under the standard provisions of the Land Use Ordinance.

Land Use Ordinance Section 22.24.010(Transfer Development Credit) provides for division of sites which do not otherwise qualify for division through use of the Transfer Development Credit (TDC) program. This program allows density to be transferred from an already established "sending site" to a "receiver site". The Transfer Development Credit (TDC) program provides for the creation of one additional parcel on properties which cannot otherwise qualify for a subdivision, if the property meets all the other criteria to be designated a receiver site. The Hixson property meets the criteria to become a receiver site as discussed below.

To qualify as a receiver site under section 22.24.070 of the Land Use Ordinance, the site must meet the following criteria: (1) the project is recommended for a mitigated negative declaration; (2) the site is not within agricultural preserve; (3) the site is within 5 miles of an urban reserve line (.75 miles from the City of Atascadero urban reserve line); (4) the foot print of development is located on less than 30 percent slopes; (5) the foot print of development is outside of SRA, FH, GSA, Earthquake Fault Zone and the Very High Fire Hazard Area; (6) the footprint of development is outside of a Significant Biological, Geographical or Riparian Habitat as defined by the Natural Areas Plan (appendix B of the Ag and Open Space Element of the general plan) and (7) the development complies with all development standards, water, sewage disposal and access standards and all land division standards as set forth in Titles 19, 21, and 22.

The Hixson property meets the criteria to become a receiver site. The applicant is requesting receiver site status to allow the creation of one additional parcel. Since the site cannot be divided using standard criteria for Residential Rural land divisions, receiver site status would allow one new parcel to be created. A single transfer of development credit will need to be retired prior to recordation of the map that would create the second parcel.

Quimby Fees

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

Affordable Housing Fees

County Ordinance 2529 establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

Design Standards

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

Road Improvements

This application was reviewed in detail by both Public Works and Planning and Building relative to access and circulation requirements for the area. This is in response to the potential for further divisions and development in the site vicinity. As a result of this review, road improvements are recommended as a means of providing appropriate access and circulation for this area.

COMMUNITY ADVISORY GROUP COMMENTS: The Templeton Area Advisory Group reviewed the project on November 18, 2004 and unanimously recommended that the project be approved.

AGENCY REVIEW:

Public Works- Recommends approval with road conditions

Environmental Health – Recommends approval

Ag Commissioner- Recommends approval with agricultural buffer

County Parks – No response received

CDF – Issued fire letter dated August 24, 2005

Templeton Community Services District – Project is not in service district

APCD – The project is inconsistent with the Clean Air Plan

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LEGAL LOT STATUS:

The lot was legally created by a recorded map (Clifford Orchard Tract- May 14, 1924) at a time when that was a legal method of creating lots.

Staff Report prepared by Nick Forester
and reviewed by Kami Griffin, Supervising Planner

FINDINGS - EXHIBIT A

Environmental Determination

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and the CA Code of Regulations Section 15000 et seq.) has been issued on February 28, 2006 for this project. Mitigation measures are proposed to address agricultural resources, biological resources, public services/utilities, recreation and transportation/circulation.

Tentative Map

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Rural land use category and the Transfer Development Credit (TDC) program.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance and the Transfer Development Credit (TDC) program.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances.
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of residential uses.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling and accessory uses.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the site contains no special status species or habitat.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.
- J. The site qualifies as a TDC Receiver Site as follows: (1) the project is recommended for a mitigated negative declaration; (2) the site is not within agricultural preserve; (3) the site is within 5 miles of an urban reserve line (.75 miles from the City of Atascadero urban reserve line); (4) the applicant has designated building sites and access drives where footprint of development is located on less than 30 percent slopes; (5) the footprint of development is outside of SRA, FH, GSA, Earthquake Fault Zone and the

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Very High Fire Hazard Area, because none of the site is located within these areas; (6) the footprint of development is outside of a Significant Biological, Geographical or Riparian Habitat as defined by the Natural Areas Plan (appendix B of the Ag and Open Space Element of the general plan) because none of the site is located within these areas and (7) the development complies with all development standards, water, sewage disposal and access standards and all land division standards as set forth in Titles 19, 21, and 22.

Road Improvements

- K. In the interest of the public health and safety, and as a necessary pre-requisite to the orderly development of the surrounding area, the construction of any road improvements shall occur prior to recordation of the parcel map or, if bonded for, within one year after recordation of the parcel map and prior to issuance of a permit or other grant of approval for development on a parcel.

CONDITIONS OF APPROVAL FOR COAL04-049/HIXSON

Approved Project

1. A Tentative Parcel Map (CO 04-049) to subdivide an existing 10.05 acre parcel into two parcels of 5 acres and 5.05 acres for the purpose of sale and/or development and designate the project site as a TDC Receiver Site.

Access and Improvements

2. Roads and/or streets to be constructed to the following standards:

Templeton Road widened to complete an A-1 section fronting the property.
3. A private easement be reserved on the map for access to lot 2

Improvement Plans

4. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
 - a. Street plan and profile.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
 - c. Grading and erosion control plan for subdivision related improvement locations.
 - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
5. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
6. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
7. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
 - a. Submit a copy of all such permits to the Department of Public Works OR

- b. Document that the regulatory agencies have determined that said permit is not longer required.

Drainage

8. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Wastewater Disposal

9. Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.
(Parcel 1 only)

Fire Protection

10. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.

Parks and Recreation (Quimby) Fees

11. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

Affordable Housing Fee

12. Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

Additional Map Sheet

13. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
 - b. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
 - c. With the exception of the one oak tree identified on the approved plan as to be removed for the construction of the new access drive, oak tree removal shall be prohibited within the first 200 feet of the project site measured from Templeton Road in order to maintain a vegetative screen between nearby agricultural zoned land and future residential uses on the proposed parcels.
 - d. At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, for the seven trees removed as a result of the development of the project [, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for the two trees impacted but not removed]. No more than seven shall be removed as a result of the development of the project, and no more than two oak trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

- e. That approval of the subdivision included the use of Transfer Development Credits, the number of credits used, their registration numbers, and the location and assessor's parcel numbers of the sending site

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Covenants, Conditions and Restrictions

14. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
 - a. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
 - b. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals
 - c. Notification to prospective buyers that an additional map sheet was recorded with the final parcel or tract map. The restrictions, conditions and standards set forth in the additional map sheet apply to future development. It is the responsibility of the prospective buyers to read the information contained on the additional map sheet.

Miscellaneous

15. **Prior to recordation of the final map**, the applicant shall release their ownership in the Receipt of Transfer or the Certificate of Sending Credits to the Department of Planning and Building. Acceptance of the release shall only occur if the credits are located in conformance with Section 22.24.090 of Title 22. The Director shall notify the TDC Administrator of the release and specify the registration numbers of the credits that were used. After release, the credits are no longer valid and available for use.
16. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
17. All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

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CONDITIONS - EXHIBIT B

**STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS
USING INDIVIDUAL WELLS AND SEPTIC TANKS**

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.
2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:
 - A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.
 - B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.
 - C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions

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- including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.
7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
 8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
 9. Any existing reservoir or drainage swale on the property shall be delineated on the map.
 10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
 11. Required public utility easements shall be shown on the map.
 12. Approved street names shall be shown on the map.
 13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
 14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
 15. Any private easements on the property shall be shown on the map with recording data.
 16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
 17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
 18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
 19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.

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COUNTY OF SAN LUIS OBISPO
MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

FOR OFFICIAL USE ONLY (NF)

ENVIRONMENTAL DETERMINATION NO. ED04-525

DATE: March 9, 2006

PROJECT/ENTITLEMENT: Hixson Parcel Map SUB2004-00088

APPLICANT NAME: David and Lynne Hixson

ADDRESS: 2975 Templeton Road, Templeton, CA 93465

CONTACT PERSON: Pamela Jardini/Planning Solutions

Telephone: 805-801-0453

PROPOSED USES/INTENT: Request by David and Lynn Hixson for a tentative parcel map, using the County's Transfer of Development Credits program, to subdivide an approximate 10.05 acre parcel into two parcels of 5 acres and 5.05 acres each for the purpose of sale and/or development.

LOCATION: The proposed project is within the Residential Rural land use category, and is located at 2975 Templeton Road (north side), approximately 0.08 mile east of Lupine Lane, approximately 0.75 mile east of the City of Atascadero, in the El Pomar planning area

LEAD AGENCY: County of San Luis Obispo Department of Planning & Building
County Government Center, Rm. 310
San Luis Obispo, CA 93408-2040

OTHER POTENTIAL PERMITTING AGENCIES: None

ADDITIONAL INFORMATION: Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT 5 p.m. on March 23, 2006

30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification

Notice of Determination

State Clearinghouse No.

This is to advise that the San Luis Obispo County _____ as ☐ *Lead Agency*
☐ *Responsible Agency* approved/denied the above described project on _____, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

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California Department of Fish and Game
CERTIFICATE OF FEE EXEMPTION
De Minimis Impact Finding

PROJECT TITLE & NUMBER: Hixson Parcel Map (SUB2004-00088) ED04-525

Project Applicant

Name: David and Lynne Hixson
Address: 2975 Templeton Road
City, State, Zip Code: Templeton, CA 93465
Telephone #: (805) 801-0453

PROJECT DESCRIPTION/LOCATION: See attached Notice of Determination

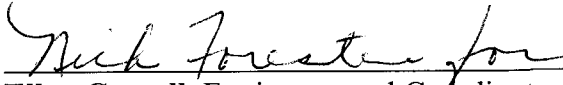
FINDINGS OF EXEMPTION:

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- () The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- () The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- (X) The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- () The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. ____ .
- () Other: ____

CERTIFICATION:

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.


Ellen Carroll, Environmental Coordinator
County of San Luis Obispo

Date: 3/3/06

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**COUNTY OF SAN LUIS OBISPO
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST**

Project Title & No. Hixson Parcel Map SUB2004-00088 **ED** 04-525

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

- | | | |
|--|---|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Geology and Soils | <input checked="" type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Transportation/Circulation |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Noise | <input type="checkbox"/> Wastewater |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Water |
| <input type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Public Services/Utilities | <input type="checkbox"/> Land Use |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Nick Forrester

Prepared by (Print)

Signature

Date

Jeff Oliveira

Reviewed by (Print)

Signature

Ellen Carroll,
Environmental Coordinator
(for)

Date

Project Environmental Analysis

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

A. PROJECT

DESCRIPTION: Request by David and Lynn Hixson for a Tentative Parcel Map to subdivide an existing 10.05 acre parcel into two parcels of 5 acres and 5.05 acres for the purpose of sale and/or development. The applicant is also requesting receiver site status and will need to purchase one Transfer Development Credit (TDC) under the County's Transfer Development Credit Program. The project includes off-site road improvements to Templeton road. The proposed project is within the Residential Rural land use category and is located on the north side of Templeton Road (2975 Templeton Road) approximately .08 miles east from Lupine Lane, approximately .75 miles west of the community of Atascadero. The site is in the El Pomar planning area.

ASSESSOR PARCEL NUMBER(S): 034-261-009

SUPERVISORIAL DISTRICT # 1

B. EXISTING SETTING

PLANNING AREA: El Pomar/Estrella, Rural

LAND USE CATEGORY: Residential Rural

COMBINING DESIGNATION(S): None

EXISTING USES: Residence , accessory structures

TOPOGRAPHY: Moderately sloping

VEGETATION: Grasses , oak woodland

PARCEL SIZE: 10.05 acres

SURROUNDING LAND USE CATEGORIES AND USES:

North: Rural Lands; residential

East: Residential Rural; residential

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South: Agriculture; residential , agricultural uses	West: Residential Rural; residential
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C. ENVIRONMENTAL ANALYSIS

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

COUNTY OF SAN LUIS OBISPO INITIAL STUDY CHECKLIST

1. AESTHETICS - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Create an aesthetically incompatible site open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Introduce a use within a scenic view open to public view?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the visual character of an area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create glare or night lighting, which may affect surrounding areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Impact unique geological or physical features?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The proposed project site consists of a 10.05 acre parcel located on the north side of Templeton Road approximately .75 miles east of the community of Atascadero (refer to Figures 1 through 3). One residence, one residential second unit and various accessory structures currently exist on proposed parcel two. The remainder of the project site is gently sloping, and supports disturbed grassland and an oak woodland. The surrounding area is characterized by gently to moderately sloping topography vegetated with grassland and scattered oak woodland, developed with residences. The project site and surrounding similarly developed areas are visible from Templeton Road. Templeton Road is a two lane road providing access to scattered residential development on the east side of Atascadero and Templeton.

Impact. The applicant is proposing to subdivide the project site into two parcels, approximately 5.0 and 5.05 acres each for the purpose of sale and/or development (refer to Figure 4). The TDC designation would allow for a slightly higher development density on the parcel than otherwise allowed, while still preserving the rural character of the area by reducing conversion pressure on adjacent agricultural lands. A building envelope and proposed access driveway are identified on proposed Parcel 2. Future development of a single-family residence on the project site would not significantly change the visual character of the area and no visual impacts are anticipated.

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Mitigation/Conclusion. Future development of a single-family residence on the project site would not significantly change the visual character of the area. No visual impacts are anticipated and no mitigation is required.

2. AGRICULTURAL RESOURCES

- Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The soil types include: (inland) Arbuckle-Positas complex (15-30%)

As described in the Natural Resource Conservation Service Soil Survey, the "non-irrigated" soil class is "IV" , and the "irrigated soil class is "IV".

Surrounding land uses to the east and west of the project site consist primarily of Residential Rural zoned parcels with residential development. There is Rural Land to the north of the project site. The present use of the land appears to be residential and horse pastures. There is Agriculturally zoned land located across Templeton Road to the south of the project site. The present use of the land appears to be residential uses and grazing.

Impact. The project has been referred to the County Agriculture Department (see attached response dated September 24, 2004). Due to the proximity to existing Agriculturally zoned property and the agricultural uses in the area, potential conflicts were identified between these uses and increased residential uses resulting from the project.

Mitigation/Conclusion. The County Agriculture Department reviewed the project and recommended the following mitigation measures:

1. Oak tree removal shall be prohibited within the first 200 feet of the project site measured from Templeton Road in order to maintain a vegetative screen between nearby agricultural zoned land and future residential uses on the proposed parcels.
2. Provide supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities, hours of operation, and the county's Right to Farm Ordinance.

The County Agriculture Department determined that with the inclusion of the above mentioned mitigation measures, no direct impacts to adjacent agricultural lands would occur as a result of the proposed project. Implementation of these measures will reduce potential impacts to agricultural to a level of insignificance.

3. AIR QUALITY - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. Based on the latest air monitoring station information (per the County's RMS annual report, 2004), the trend in air quality in the general area is moderately improving, where unacceptable PM10 levels were exceeded once in 2003, which is down from 2002 (two exceedances). The Air Pollution Control District (APCD) estimates that automobiles currently generate about 40% of the pollutants responsible for ozone formation. Nitrous oxides (NOx) and reactive organic gasses (ROG) pollutants (vehicle emission components) are common contributors towards this chemical transformation into ozone. Dust, or particulate matter less than ten microns (PM10) that become airborne and find their way into the lower atmosphere, can act as the catalyst in this chemical transformation to harmful ozone. In part, the land use controls currently in place for new development relating to ROG and NOx (i.e. application of the CEQA Air Quality Handbook) have helped reduce the formation of ozone.

Impact. It is reasonably foreseeable that approval of the project will result in future construction of a residence, driveway, and associated road improvements that would result in the disturbance of approximately 0.5 acres. This will result in the creation of dust, construction-related emissions, and operational emissions. Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below thresholds warranting any mitigation.

Generally, the APCD does not support fracturing of rural lands and residential development removed from employment and commercial services. The Clean Air Plan includes land use management strategies to guide decision-makers on land use approaches that result in improved air quality. The proposed project is somewhat inconsistent with the "Planning Compact Communities" strategy, where increasing development densities within urban areas is preferable over increasing densities in rural areas. Increasing densities in rural areas results in longer single-occupant vehicle trips and increases emissions. In this instance, this partial inconsistency is not considered significant for the following reasons: 1) the proposed density of this subdivision is still consistent with what was assumed in the last update of the Clean Air Plan which, based in part on this density, approved the necessary control measures to achieve acceptable air quality attainment in the future; 2) standard forecast modeling (e.g., ARB URBEMIS2001) identifies that vehicles in the near future will produce substantially lower emissions (e.g., use of electric, hybrid and advanced technology vehicles); and 3) the TDC

designation would allow for a slightly higher development density on the parcel than otherwise allowed, while reducing conversion pressure in other rural areas. Based on the above discussion, given the smaller number of potential new residences (one additional residence), both individual and cumulative impacts are expected to be less than significant as it relates to the Clean Air Plan land use strategies.

Mitigation/Conclusion. No significant impacts were identified, and no mitigation measures are necessary.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>		Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a)	<i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	<i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	<i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors, which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The following habitats were observed on the proposed project: Grasses Based on the latest California Diversity database and other biological references, the following species or sensitive habitats were identified:

Plants: None

Wildlife: potential Coast Horned Lizard (*Phrynosoma coronatum frontale*), Least Bells Viero (*Viero bellii pusillus*), and Willow Flycatcher (*Empidonax traillii extimus*) app. 0.5 mile southwest

Habitats: Mixed Oak Woodland (High Sensitivity), Mixed Chaparral (High Sensitivity) app. 0.1 mile east, Valley Oak Woodland (High Sensitivity) app. 0.1 mile south, Riverine/Riverwash (Very High Sensitivity) app. 0.5 mile southwest.

Impact. The project as proposed will require the construction of a new access driveway. The construction of the new access driveway will result in the removal of seven oak trees and will result in impacts to an additional two oak trees.

Mitigation/Conclusion. The applicant has agreed to replant 32 oak trees to mitigate for the seven trees that are to be removed and for the two oak tree that are to be impacted as a result of the project.

(A 4:1 ratio for removed oak trees and a 2:1 ratio for impacted trees.) With the inclusion of this mitigation measure impacts to biological resources will be reduced to a level that is less than significant.

5. CULTURAL RESOURCES -
Will the project:

Potentially
Significant Impact can
& will be
mitigated Insignificant
Impact Not
Applicable

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | <i>Disturb pre-historic resources?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | <i>Disturb historic resources?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | <i>Disturb paleontological resources?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | <i>Other: _____</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Setting/Impact. The project is located in an area historically occupied by the Obispeño Chumash and Southern Salinian. The project is not located in an area that would be considered culturally sensitive due to lack of physical features typically associated with prehistoric occupation (rock outcrops, continuous water presence). Impacts to historical or paleontological resources are not expected.

Mitigation/Conclusion. No significant cultural resource impacts are expected to occur, and no mitigation measures are necessary.

6. GEOLOGY AND SOILS -
Will the project:

Potentially
Significant Impact can
& will be
mitigated Insignificant
Impact Not
Applicable

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a) | <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) | <i>Be within a California Geological Survey "Alquist-Priolo Earthquake Fault Zone"?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) | <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) | <i>Change rates of soil absorption, or amount or direction of surface runoff?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) | <i>Include structures located on expansive soils?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) | <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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6. GEOLOGY AND SOILS -
Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. GEOLOGY - The topography of the project is nearly level. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered low. Active faulting is known to exist near the subject property app. 0.05 mile west. The project is not within a known area containing serpentine or ultramafic rock or soils.

Any project within the Geologic Study area designation or within a high liquefaction area is subject to the preparation of a geological report per the County's Land Use Ordinance (LUO) section 22.14.070 (c) to evaluate the area's geological stability relating to the proposed use.

DRAINAGE – The area proposed for development is outside the 100-year Flood Hazard designation. The closest creek (a tributary of the Salinas River) from the proposed development is approximately 0.5 mile to the south. As described in the Natural Resource Conservation Service Soil Survey, the soil is considered very poorly to moderately drained. For areas where drainage is identified as a potential issue, the LUO (Sec. 22.52.080) includes a provision to prepare a drainage plan to minimize potential drainage impacts. When required, this plan would need to address measures such as: constructing on-site retention or detention basins, or installing surface water flow dissipaters. This plan would also need to show that the increased surface runoff would have no more impacts than that caused by historic flows.

SEDIMENTATION AND EROSION - The soil types include: (inland) Arbuckle-Positas complex (15-30%)

As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility, and low shrink-swell characteristics.

When highly erosive conditions exist, a sedimentation and erosion control plan is required (LUO Sec. 22.52.090) to minimize these impacts. When required, the plan is prepared by a civil engineer to address both temporary and long-term sedimentation and erosion impacts. Projects involving more than one acre of disturbance are subject to the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which focuses on controlling storm water runoff. The Regional Water Quality Control Board is the local extension who monitors this program.

Impact. As proposed, the project will result in the disturbance of approximately .5 acres.

Mitigation/Conclusion. There is no evidence that measures above what will already be required by ordinance or codes are needed.

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7. HAZARDS & HAZARDOUS MATERIALS - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Interfere with an emergency response or evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to safety risk associated with airport flight pattern?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Increase fire hazard risk or expose people or structures to high fire hazard conditions?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Create any other health hazard or potential hazard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project is not located in an area of known hazardous material contamination. The project is not within a high severity risk area for fire. The project is not within the Airport Review area.

Impact. The project does not propose the use of hazardous materials. The project does not present a significant fire safety risk. The project is not expected to conflict with any regional evacuation plan.

Mitigation/Conclusion. No significant impacts as a result of hazards or hazardous materials are anticipated, and no mitigation measures are necessary.

8. NOISE - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels that exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. The project is not within close proximity of loud noise sources, and will not conflict with any sensitive noise receptors (e.g., residences).

Impact. The project is not expected to generate loud noises, nor conflict with the surrounding uses.

Mitigation/Conclusion. No significant noise impacts are anticipated, and no mitigation measures are necessary.

9. POPULATION/HOUSING -

Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Displace existing housing or people, requiring construction of replacement housing elsewhere?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create the need for substantial new housing in the area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Use substantial amount of fuel or energy?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting In its efforts to provide for affordable housing, the county currently administers the Home Investment Partnerships (HOME) Program and the Community Development Block Grant (CDBG) program, which provides limited financing to projects relating to affordable housing throughout the county.

Title 18 of the County Code (Public Facilities Fees) requires that an affordable housing mitigation fee be imposed as a condition of approval of any new residential development project.

Impact. The project will not result in a need for a significant amount of new housing, and will not displace existing housing.

Mitigation/Conclusion. Prior to map recordation, the applicant will pay an affordable housing mitigation fee of 3.5 percent of the adopted Public Facility Fee. This fee will not apply to any county-recognized affordable housing included within the project. No significant population and housing impacts are anticipated, and no mitigation measures are necessary.

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10. PUBLIC SERVICES/UTILITIES -
*Will the project have an effect upon,
 or result in the need for new or
 altered public services in any of the
 following areas:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Fire protection?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Police protection (e.g., Sheriff, CHP)?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) <i>Schools?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) <i>Roads?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Solid Wastes?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other public facilities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The project is served by the Templeton Community Services District Fire Department and CDF, the closest CDF fire station (Creston) is approximately 11.5 miles to the west. The closest Sheriff substation is in Templeton, which is approximately 4 miles from the proposed project. The project is located in the Templeton Unified School District.

Impact. The project's direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

Mitigation/Conclusion. Public facility (county) and school (State Government Code 65995 et sec) fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels. The Project is in an area that is subject to a Templeton Road Improvement Fee. Payment of the road fee will reduce impacts to the road system to a level that is less than significant.

11. RECREATION - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The County Trails Plan shows that a potential trail does not go through the proposed project. The project is not proposed in a location that will affect any trail, park or other recreational resource. Prior to map recordation, county ordinance requires the payment of a fee (Quimby) for the improvement or development of neighborhood or community parks.

Impact. The proposed project will not create a project specific significant need for additional park or

recreational resources, but will contribute to the cumulative future demand on parks and recreational facilities.

Mitigation/Conclusion. The "Quimby" fee will adequately mitigate the project's impact on recreational facilities.) No significant recreation impacts are anticipated, and no additional mitigation measures are necessary.

**12. TRANSPORTATION/
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. Future development will access onto the following public road: Templeton Road. The identified roadway is operating at acceptable levels. Referrals were sent to Public Works. No significant traffic-related concerns were identified.

Impact. The applicant proposes to subdivide one lot into two lots. One residence and one second unit currently exists on proposed Parcel 2, and the project as proposed could result in the future construction and occupation of a new single-family residence and residential second unit proposed on Parcel 1. Proposed parcels 1 and 2 would be accessed from Templeton Road. There is adequate sight distance for the driveway. The proposed project is estimated to generate a total of 22 trips per day, based on the Institute of Traffic Engineer's manual of 11 daily trips per residence. This small

amount of additional traffic would not result in a significant change to the existing road service levels or traffic safety.

The proposed project was referred to the County Public Works Department. The Public Works Department recommended approval of the project, and requires standard road improvements to Templeton Road (Mike Goodwin; September 28, 2004).

Mitigation/Conclusion. No significant project specific transportation or circulation impacts were identified, however the project will contribute to cumulative future demand on the road system. The Project is in an area that is subject to a Templeton Road Improvement Fee. Payment of the road fee will reduce impacts to the road system to a level that is less than significant and no additional mitigation measures are necessary.

13. WASTEWATER - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Setting. As described in the NRCS Soil Survey (see Geology section for soil types), the main limitations for on-site wastewater systems relates to: slow percolation, steep slopes. These limitations are summarized as follows:

Steep Slopes – where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent. To comply with the Central Coast Basin Plan, additional information is needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent “daylighting” to the ground surface.

Slow Percolation – is where fluid percolates too slowly through the soil for the natural processes to effectively break down the effluent into harmless components. The Basin Plan identifies the percolation rate should be less than 120 minutes per inch. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit that shows the leach area can adequately percolate to achieve this threshold.

Impact. The project proposes to use an on-site system as its means to dispose wastewater. Based on the proposed plans, adequate area appears available for an on-site system.

Mitigation/Conclusion. (On-site) The leach lines shall be located at least 100 feet from any private well and at least 200 from any community/public well. Prior to building permit issuance, the septic system will be evaluated in greater detail to insure compliance with the Central Coast Basin Plan for any constraints listed above, and will not be approved if Basin Plan criteria cannot be met.

2-28

14. WATER - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Violate any water quality standards?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Change the quantity or movement of available surface or ground water?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Adversely affect community water service provider?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting. The project proposes to use an on-site well as its water source. Based on available information, the proposed water source is not known to have any significant availability or quality problems.

The topography of the project is nearly level. The closest creek (a tributary of the Salinas River) from the proposed development is approximately 0.5 miles away. As described in the NRCS Soil Survey, the soil surface is considered to have moderate erodibility.

Impact. As proposed, the project will result in the disturbance of approximately half of an acre. Based on the project description, as shown below, a reasonable "worst case" indoor water usage would likely be about 1.18 acre feet/year (AFY)

10 residential lots (w/primary (0.85 afy) & secondary (0.33 afy) X 10 lots) = 11.8 afy
 Source: "City of Santa Barbara Water Demand Factor & Conservation Study "User Guide" (Aug., 1989)

Mitigation/Conclusion. Since no potentially significant water quantity or quality impacts were identified, no specific measures above standard requirements have been determined necessary. Standard drainage and erosion control measures will be required for the proposed project and will provide sufficient measures to adequately protect surface water quality.

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
----------------------------------	--------------	--------------------------	------------	----------------

2-29

15. LAND USE - Will the project:	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other:</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Setting/Impact. Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

The subdivision design standards established by the Land Use Ordinance for the Residential Rural land use category require that each new five acre parcel have average slopes of 0-15%. The average slopes on proposed parcel one are 16.1% and thus the project could be potentially inconsistent with The subdivision design standards established by the Land Use Ordinance. However, the Transfer of Development Credit(TDC) program established by the county Land Use Ordinance specifically allows for the division of land that would not qualify using the traditional division standards and thus the project is consistent with the county Land Use Ordinance.

Mitigation/Conclusion. No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
---	--------------------------------	---	-----------------------------	-----------------------

a) *Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

☐
☐
☒
☐

b) *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)*

☐
☒
☐
☐

c) *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

☐
☐
☒
☐

For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

Exhibit A - Initial Study References and Agency Contacts

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

Contacted	Agency	Response
<input checked="" type="checkbox"/>	County Public Works Department	In File**
<input checked="" type="checkbox"/>	County Environmental Health Division	In File**
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	In File**
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	In File**
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input type="checkbox"/>	CA Department of Forestry	Not Applicable
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input type="checkbox"/>	Community Service District	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable
<input type="checkbox"/>	Other _____	Not Applicable

** "No comment" or "No concerns"-type responses are usually not attached

The following checked (☒) reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input type="checkbox"/> Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input type="checkbox"/> Real Property Division Ordinance	
<input type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

Exhibit B - Mitigation Summary Table

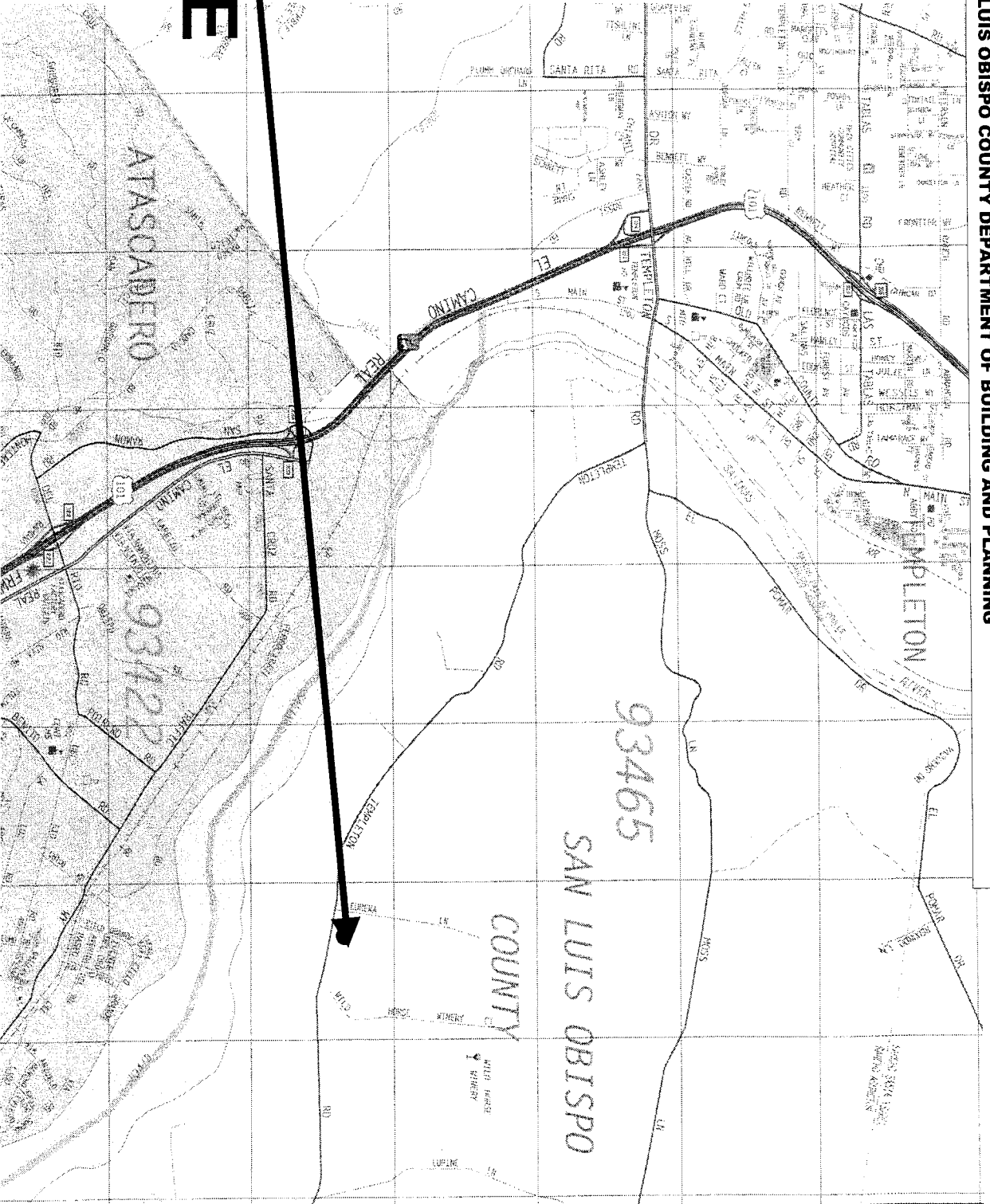
Biological Resources

- BR-1 At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, for the seven trees removed as a result of the development of the project [, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for the two trees impacted but not removed]. No more than seven shall be removed as a result of the development of the project, and no more than two oak trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).
- BR-2 Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- BR-3 These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Agriculture

- AG-1 Prior to transfer of the parcels created by this subdivision, the applicant shall disclose to prospective buyers, of all parcels created by this proposal, the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the county's Right to Farm ordinance currently in effect at the time said deed(s) are recorded.
- AG-2 With the exception of the one oak tree identified on the approved plan as to be removed for the construction of the new access drive, oak tree removal shall be prohibited within the first 200 feet of the project site measured from Templeton Road in order to maintain a vegetative screen between nearby agricultural zoned land and future residential uses on the proposed parcels.

2-37



SITE

PROJECT

Parcel Map
Hixson SUB2004-00088

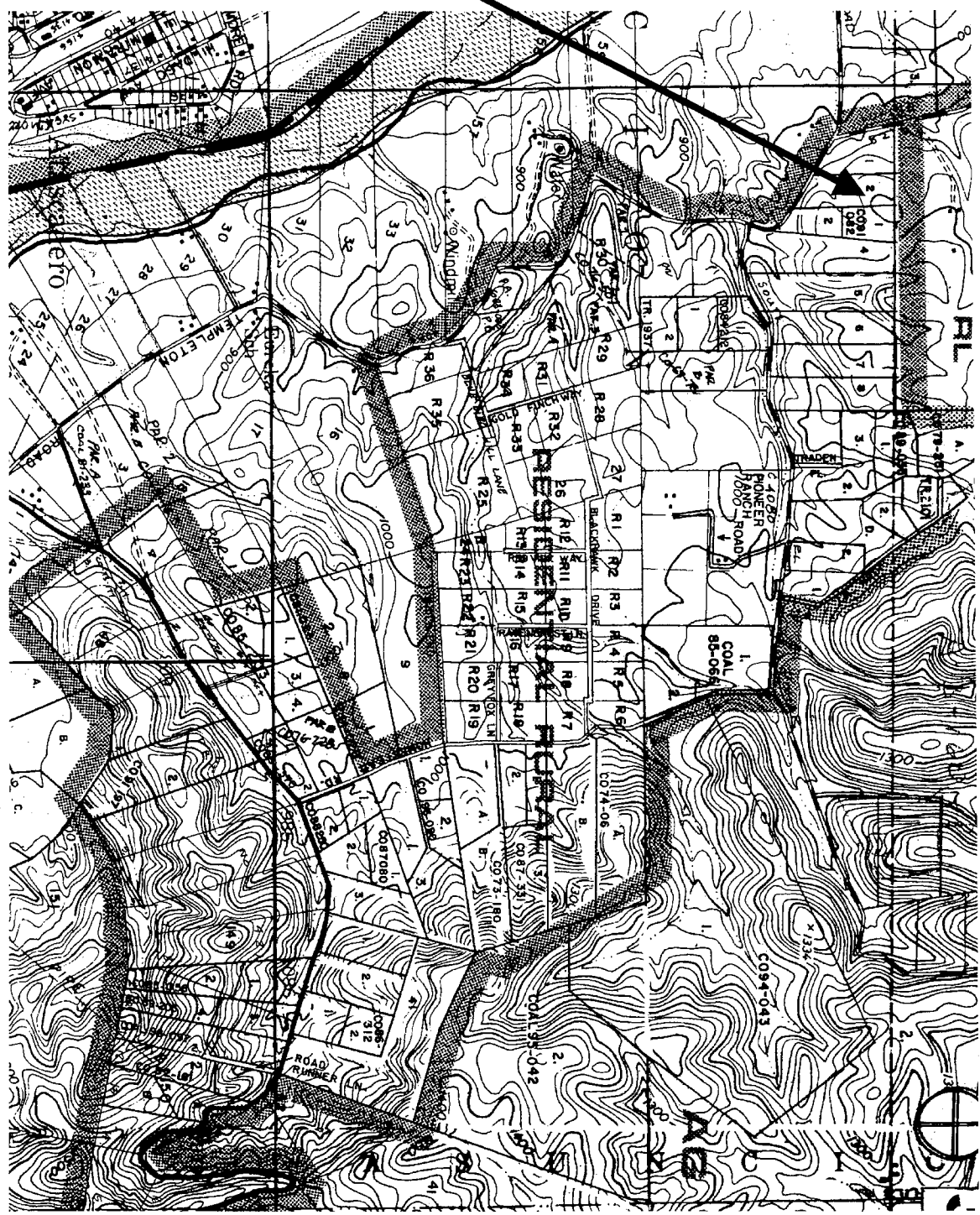


EXHIBIT

Vicinity Map

2-34

SITE



PROJECT

Parcel Map
Hixson SUB2004-00088

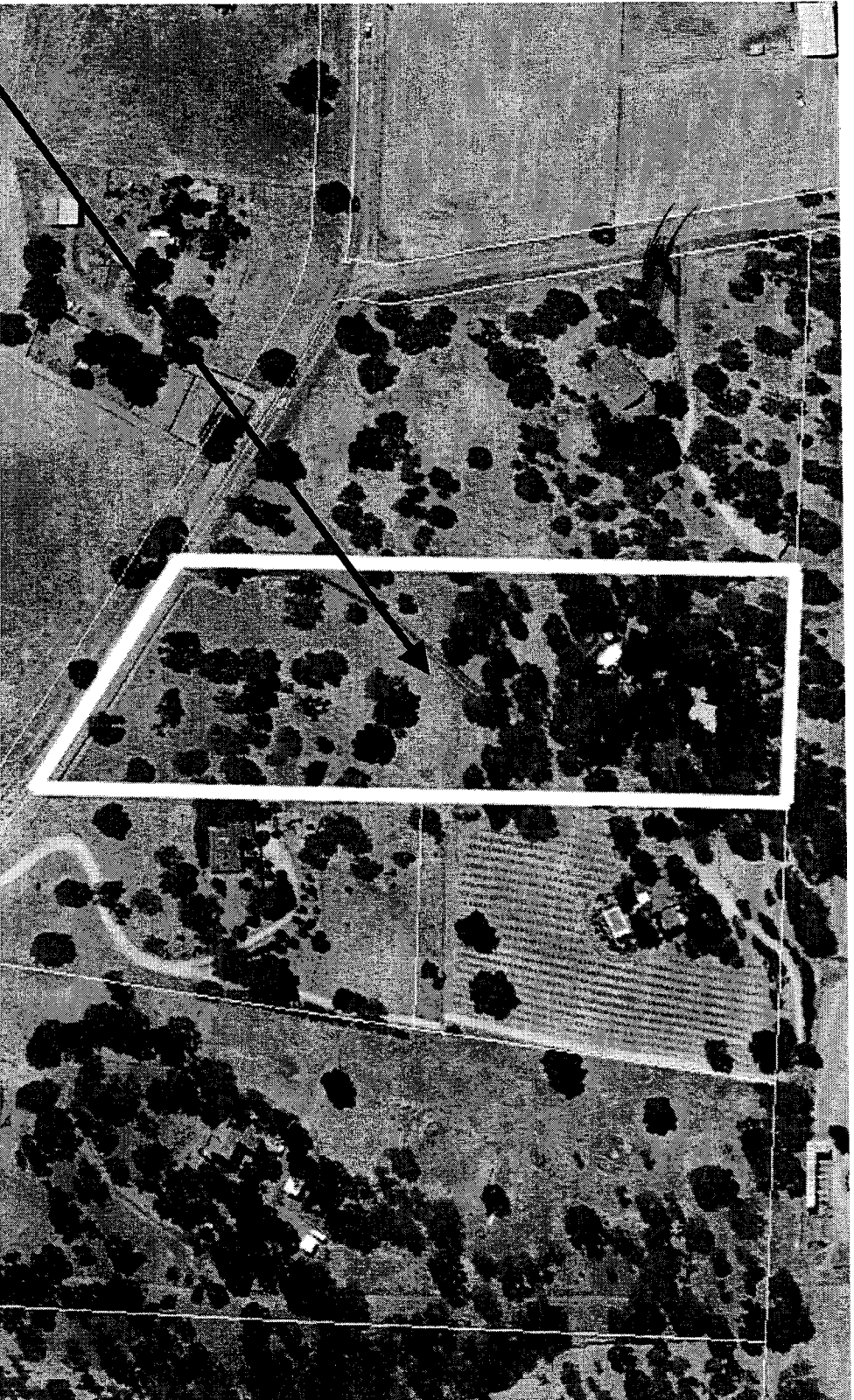


EXHIBIT

Land Use

2-35

SITE



PROJECT

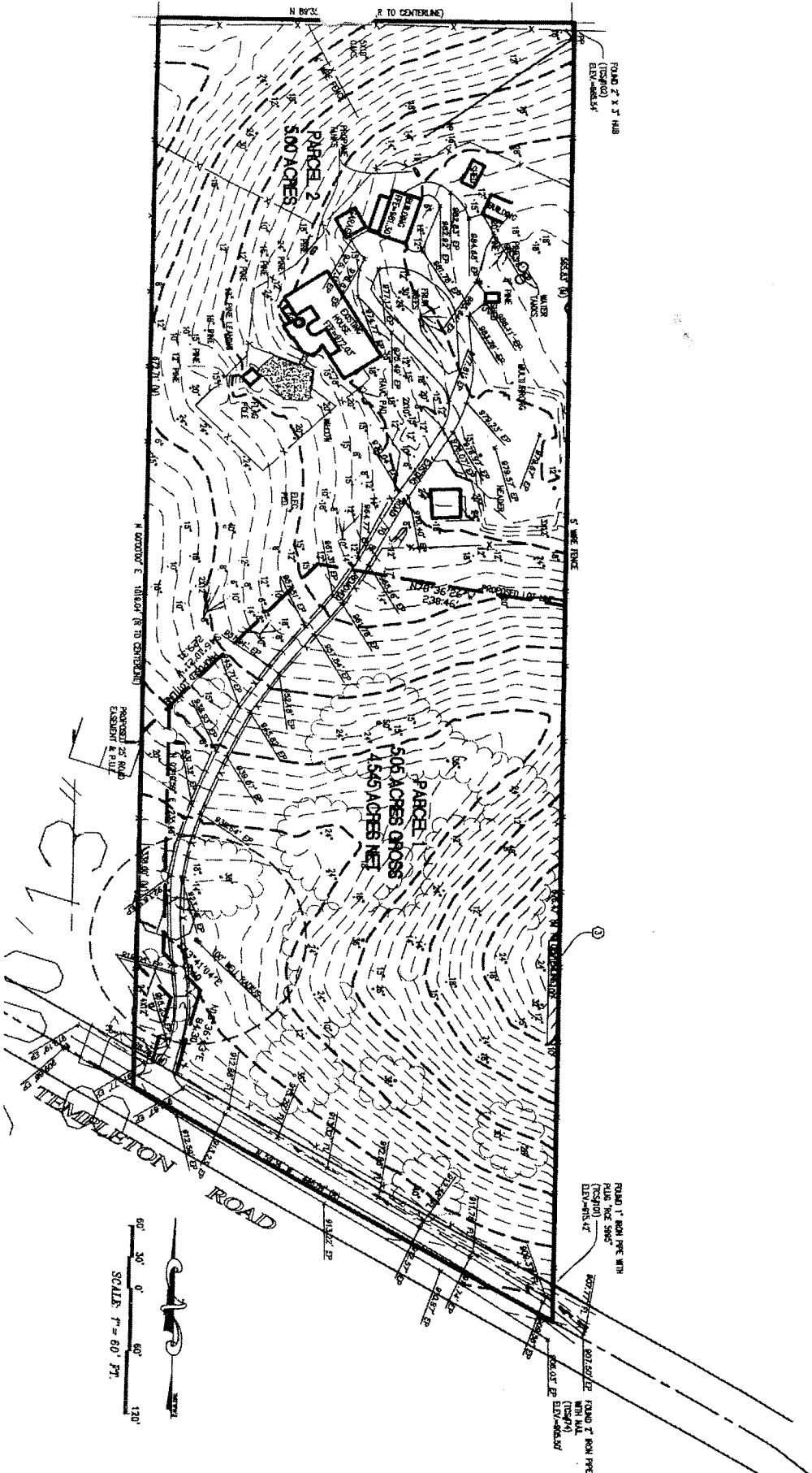
Parcel Map
Hixson SUB2004-00088



EXHIBIT

Aerial

2-36



PROJECT

Parcel Map
Hixson SUB2004-00088



EXHIBIT

Site Plan

Environmental Determination ED04-525

Date: February 28, 2006

**DEVELOPER'S STATEMENT FOR THE
HIXSON PARCEL MAP AND TDC RECEIVER SITE
SUB2004-00088**

The applicant agrees to incorporate the following measures into the project. These measures become a part to the project description and therefore become a part of the record of action upon which the environmental determination is based. All construction/grading activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

Note: The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

BIOLOGICAL RESOURCES

BR-1 At the time of application for construction permits, the applicant shall submit a tree replacement plan to be reviewed and approved by the Environmental Coordinator. The plan shall provide for the replacement, in kind at a 4:1 ratio, for the seven trees removed as a result of the development of the project [, and in addition, shall provide for the planting, in kind at a 2:1 ratio, of oak trees to mitigate for the two trees impacted but not removed]. No more than seven shall be removed as a result of the development of the project, and no more than two oak trees shall be impacted, but not removed, as a result of the development of the project. Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, topsoil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three-foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three-year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.

Monitoring: The Department of Planning and Building shall verify compliance.

AGRICULTURAL RESOURCES

Environmental Determination ED04-525

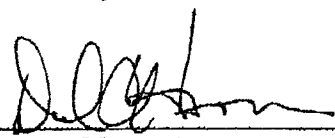
Date: February 28, 2006

AG-1 Prior to transfer of the parcels created by this subdivision, the applicant shall disclose to prospective buyers, of all parcels created by this proposal, the consequences of existing and potential intensive agricultural operations on adjacent parcels including, but not limited to: dust, noise, odors and agricultural chemicals and the county's Right to Farm ordinance currently in effect at the time said deed(s) are recorded.

AG-2 With the exception of the one oak tree identified on the approved plan as to be removed for the construction of the new access drive, oak tree removal shall be prohibited within the first 200 feet of the project site measured from Templeton Road in order to maintain a vegetative screen between nearby agricultural zoned land and future residential uses on the proposed parcels.

Monitoring: The Department of Planning and Building shall verify compliance.

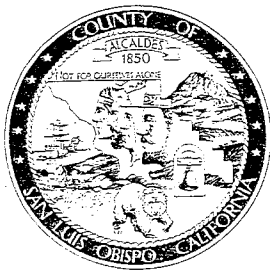
The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.


Signature of Owner(s)

1-28-06
Date

David C. Hixson
Name (Print)

2-39



COUNTY OF SAN LUIS OBISPO

Department of Agriculture/Measurement Standards

2156 SIERRA WAY, SUITE A • SAN LUIS OBISPO, CALIFORNIA 93401-4556

ROBERT F. LILLEY

(805) 781-5910

AGRICULTURAL COMMISSIONER/SEALER

FAX (805) 781-1035

AgCommSLO@co.slo.ca.us

DATE: September 24, 2004

TO: Andrea Miller, Planning Department

FROM: Lynda L. Auchinachie, Agriculture Department JH

SUBJECT: Hixon Parcel Map SUB2004-00088 (0947)

Summary

The Agriculture Department's review finds that the proposal to subdivide an approximately 10-acre parcel into two five acre parcels within the Residential Rural land use category would result in **less than significant impacts** to agricultural resources or operations with the incorporation of the following mitigation measures into the project.

Recommended Mitigation Measures

1. Retain the existing oak trees within the first 200 feet of the project site measured from Templeton Road.
2. Provide supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities, hours of operation, and the county's Right-to-Farm Ordinance.

The comments and recommendations in our report are based on policies in the San Luis Obispo County Agriculture and Open Space Element, the Land Use Ordinance, the California Environmental Quality Act (CEQA), and on current departmental policy to conserve agricultural resources and to provide for public health, safety and welfare while mitigating negative impacts of development to agriculture.

A. Project Description and Agricultural Setting

The applicant is requesting to subdivide an approximately 10-acre parcel into two five-acre parcels within the Residential Rural land use category. The project site is 2975 Templeton Road, approximately 2.5 miles southeast of the community of Templeton. The site consists of gently to moderately sloping hills with oak woodland habit established on the majority of the property. The northern portion of the site has particularly dense coverage.

The project site is bordered by properties within the Agriculture land use category to the north and south. Dry farm field crop production is located to the south of the project site. These properties have the potential to support vineyards. A small olive orchard is located to the east of the project site and an equestrian facility to the north. Neither of these uses are considered production agriculture for purposes of buffering.

B. Impacts to Adjacent Agricultural Lands

One of the primary goals of the Agriculture and Open Space Element is to ensure the long-term viability of agricultural resources and operations. Part of the land use review process is to identify potential land use conflicts between proposed development and production agriculture.

The proposed project has been reviewed to determine if buffers are required to reduce potential land use conflicts based on the existing dry farm uses and potential vineyards. The project site and dry farm properties slope in a southern direction. This slope combined with the physical separation, roadway, and existing oak trees for screening are considered adequate to reduce potential land use conflicts between the proposed development and production agriculture without the establishment of an agricultural buffer. However, the following mitigation measures are recommended to minimize conflicts.

C. Recommended Mitigation Measures

1. Retain the existing oak trees within the first 200 feet of the project site measured from Templeton Road.
2. Provide supplemental disclosure to purchasers of these properties concerning the nature of the neighboring agricultural activities, hours of operation, and the county's Right-to-Farm Ordinance.

If we can be of further assistance, please call 781-5914.

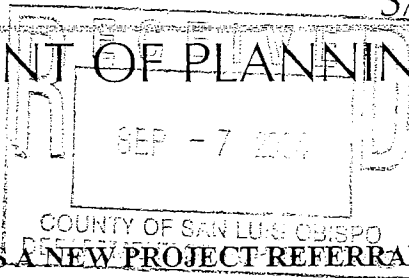


AM

2-41

10

SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING



VICTOR HOLANDA, AICP
DIRECTOR

DATE:

9/3/04

FROM

FROM

North Co. Team

(Please direct response to the above)

HIXSON

COAL 04-0494

SUB2004-00088 (Pm)

Project Name and Number

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION:

Parcel Map → subdivide property into 2 parcels of 5 acres each. APN: 034-261-1009
See site map and info. (Off Templeton Rd. in Templeton near Lupine Ln. Intersection.)

Return this letter with your comments attached no later than:

9/20/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES
☐ NO

(Please go on to Part II)

NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO
☐ YES

(Please go on to Part III)

YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Recommend Approval - Reduced copy of map is difficult to read, a full size map would be helpful. STUCKS ATTACKED. I HAVE REQUESTED THAT TEMPLETON ROAD be widened - ULTIMATE width will depend upon ADT AND IF EQUESTRIAN TRAIL is required.

28 SEPT 2004
Date

GOODWIN
Name

5252
Phone

2-42

EXHIBIT B

CONDITIONS OF APPROVAL FOR CO 04-0494, HIXSON / JARDINI

Approved Project

This approval authorizes the division of a _____ acre parcel into _____ parcels of _____ *acres / square feet* each.

Access and Improvements



Roads and/or streets to be constructed to the following standards:

a. _____ constructed to a _____ section within a _____ foot dedicated right-of-way.

b. Templeton Road widened to complete a A-1 section fronting the property.

c. _____ constructed to a _____ section from the property to _____ (minimum paved width to be _____ feet).



The applicant offer for dedication to the public by certificate on the map or by separate document:

a. For future road improvement _____ feet along _____ to be described as _____ feet from the recorded centerline.

b. For future road improvement _____ feet along _____ to be described as _____.

c. For road widening purposes _____ feet along _____, to be described as _____ feet from the recorded centerline.

d. The _____ foot road easement as shown on the tentative parcel map with a _____ foot radius property line return at the intersection of _____.

e. A _____ foot radius property line return at the intersection of _____.

f. The _____ foot road easement terminating in a county cul-de-sac as shown on the tentative map.

2-43

Drainage

- ☐ _____ is not capable of carrying additional runoff. Construct off-site drainage facilities for an adequate outlet, or provide evidence of adequate drainage easements.
- ☐ The existing drainage swale(s) to be contained in drainage easement(s) dedicated on the map.
- ☐ Submit complete drainage calculations to the Department of Public Works for review and approval.
- ☐ If calculations so indicate, drainage must be **retained/detained** in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
- ☐ If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
 - a. granted to the public in fee free of any encumbrance.
 - b. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
 - c. reserved as a drainage easement in favor of the owners and assigns.
- ☐ If a drainage basin is required, a zone of benefit be formed within _____ for maintenance of the drainage basin. Application to be filed with the The Department of Public Works Administrator.
- ☐ If a drainage basin is required, this development be annexed to _____ for maintenance of the drainage basin. Evidence of acceptance to be filed with the Department of Public Works.
- ☒ The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

Wastewater Disposal

- ☐ Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system. (Parcel(s) _____, only).
- ☐ A community septic system shall be installed with a centralized leaching area and shall have a 100% or greater additional expansion area. The area for the community septic tank system and disposal area shall **be granted in fee on the map to the appropriate maintenance agency for maintenance with the right of ingress and egress / shall be kept as open space within easement for sewage treatment purposes granted to a homeowner's association.** Impervious paving over a disposal area is not considered acceptable.

- ☐ The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

Vector Control and Solid Waste

- ☐ A determination of method of pick-up shall be specified by the waste handler and if centralized facilities for the pick-up are required, provisions shall be made within the project for central facilities that meet **Land Use Ordinance / Coastal Zone Land Use Ordinance** requirements for trash enclosures. If centralized facilities are established, this shall include provisions for recycling if service is available or subsequent installation of such facilities if recycling service becomes available in the future.

Fire Protection

- ☐ Provide minimum fire flow of _____ gallons per minute as per nationally recognized standard. Fire flows to be maintained for a minimum two-hour duration.
- ☐ The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
- ☐ Designate a fire lane within all the driveway areas. This lane to be minimum width of twenty (20) feet. *(USE FOR MULTI-FAMILY/COMMERCIAL PROJECTS ONLY)*

Parks and Recreation (Quimby) Fees

- ☐ Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total **number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them / or the number of dwelling units proposed in the case of a condominium, stock cooperative, or community apartment project.**
- ☐ For subdivisions of less than five parcels that are not to be used for residential purposes, if a building permit is requested for construction of a residential structure or structures on one or more of the parcels created by this subdivision within four years of recordation of the map, the Quimby Ordinance fee specified in the county fee schedule shall be paid by the owner of each parcel as a condition for the issuance of such permit.

Affordable Housing Fee

- ☐ Prior to filing the final parcel or tract map, the applicant shall pay an affordable housing in-lieu fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

2-45

- d. Designated building sites (and access drives) shall be shown on the additional map sheet reflecting the approved tentative map. **At the time of application for construction permits**, the applicant shall clearly delineate the approved building site and access drive on the project plans.
- e. Notification to prospective buyers of the county's Right to Farm Ordinance currently in effect at any time said deed(s) are recorded.
- f. Notification of the consequences of existing and potential intensive agricultural operations on adjacent parcels including but not limited to noise, dust, odor and agricultural chemicals.
- g. An agricultural buffer prohibiting residential structures, consisting of _____ feet over lots _____, shall be shown on the additional map sheet. This buffer shall become null and void on individual parcels within this subdivision, if the adjacent Agriculture land use category is changed or if any existing commercial agricultural business on adjacent parcels effecting this subdivision cease operation for a minimum of one year. **At the time of application for construction permits**, the applicant shall clearly delineate the agricultural buffer on the project plans.
- h. The limits of inundation from a 100 year storm over lots _____ from _____ **creek / river** shall be shown on the additional map and note the required building restriction in the on the sheet.
- i. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
- j. A notice that no construction permits will be given a final inspection until the fire safety conditions established in the letter dated _____ from the California Department of Forestry (CDF)/County Fire Department are completed. **Prior to occupancy or final inspection**, which ever occurs first, the applicant shall obtain final inspection approval of all required fire/life safety measures.
- k. Note to potential buyers and future owners of the property that the project is in an area from which combustion and petroleum-type odor complaints are frequently received by the Air Pollution Control District. The District Hearing Board has issued a nuisance abatement order which should improve the air quality in the Nipomo area; however, clean up is a lengthy process, therefore buyers of new lots should be advised that these conditions exist. *(ONLY USE IF WITHIN SOUTH COUNTY PLANNING AREA OR NEAR THE PLANT IN THE SAN LUIS BAY PLANNING AREA)*
- l. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
- A. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
- B. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
- m. PUT ANY MITIGATIONS FROM DEVELOPER'S STATEMENT HERE **ONLY IF THEY GO BEYOND RECORDATION OF THE MAP** _____
- _____
- _____

2-46

Miscellaneous



This subdivision is also subject to the standard conditions of approval for all subdivisions using **community water and sewer / community water and septic tanks / individual wells and septic tanks**, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.

- ☐ A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.
- ☐ Applicant shall file with the Department of Public Works an application requesting apportionment of any unpaid assessments under the Improvement Bond Act of 1915, in compliance with Section 8740.1 of the Streets and Highways Code of the State of California. Said apportionment must be completed prior to filing the map.
- ☐ Prior to the sale of the designated remainder or omitted parcel, if applicable, the applicant shall obtain approval of a certificate of compliance or conditional certificate of compliance from the county.
- ☐ All timeframes on approved tentative maps for filing of final parcel or tract maps are measured from the date the Review Authority approves the tentative map, not from any date of possible reconsideration action.

2-47



CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

August 24, 2005

County of San Luis Obispo
Department of Planning and Building
County Government Center
San Luis Obispo, CA 93408

Subject: Parcel Map Project # COAL 04-0494 (SUB2004-00088 – Hixson)

Dear staff members,

I have reviewed the referral for the parcel map plans for the proposed simple two parcel subdivision project located at 2975 Templeton Rd. Templeton, CA. This project is located approximately 10 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires.

It is designated a Moderate Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:
 - Parcels less than 1 acres 800 feet
 - Parcels 1 acre to 4.99 acres 1320 feet
 - *Parcels 5 acres to 19.99 acres* 2640 feet
 - Parcels 20 acres or larger 5280 feet

2-48

- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.
- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
 - 0-49 feet, 10 feet is required
 - 50-199 feet, 12 feet is required
 - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

Water Supply

The following applies:

☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.

☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

Fuel Modification

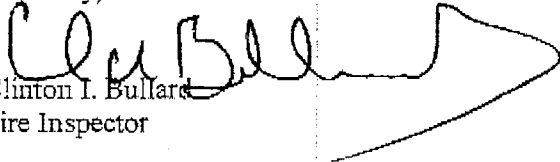
- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 100-foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

2-49

The existing single family residence on parcel #2 must meet all CDF/San Luis Obispo County Fire Department standards for water storage, residential fire connection, addressing, vegetation clearance and access prior to a clearance letter being issued by this department. The proposed 25-foot wide easement for access must provide a minimum of an 18-foot wide all-weather surface capable of supporting a 20-ton live load at 25 miles per hour. This new access road must provide a properly designed turnaround at or near the property line with parcel #1. All portions of the access road at or exceeding a 12% grade must be paved and the road must be engineered starting at a 16% grade. This access road is required to be named and properly signed. Contact Mr. Leonard Mansell with the San Luis Obispo County Department of Planning and Building to assist you with this requirement.

If I can provide additional information or assistance relative to any fire/life safety requirements, please call 543-4244.

Sincerely,


Clinton I. Bullard
Fire Inspector

cc: Hixson, Applicant

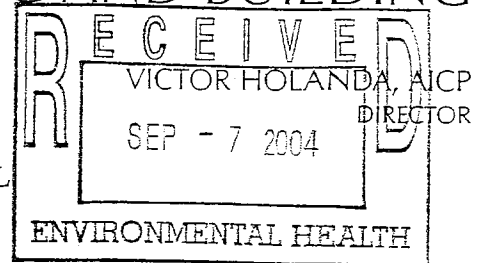


AM 2-50 10
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

RECEIVED

SEP 24 2004

Planning & Bldg
THIS IS A NEW PROJECT REFERRAL



DATE:

TO:

FROM:

9/3/04
Env. Health
North Co. Team
(Please direct response to the above)

HIXSON COAL 04-0494
SUB2004-DD088 (PM)
Project Name and Number

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION:

Parcel Map -> subdivide property into 2 parcels of 5 acres each. APN: 034-261-1009. See site map and info. (Off Templeton Rd. in Templeton near Lupine Ln Intersection.)

Return this letter with your comments attached no later than:

9/20/04

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

YES (Please go on to Part II)
NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

NO (Please go on to Part III)
YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Provide applicant with stock conditions for individual wells and on-site septic systems. Water information to include the well completion report, pump tests and full water quality will be required. Soil testing will be required on proposed parcel one.

9/23/04
Date

Laura Sals
Name

781-5551
Phone



251 10
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PLANNING AND BUILDING

AM

VICTOR HOLANDA, AICP
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: 9/3/04
TO: Lamy Kelly
FROM: North Co. Team
(Please direct response to the above)

HIXSON COAL 04-0494
SUB2004-00088 (Pm)
Project Name and Number

Development Review Section (Phone: 781-788-2009)

PROJECT DESCRIPTION: Parcel Map → subdivide property into 2 parcels of 5 acres each. APN: 034-241-009. See site map and info. (Off Templeton Rd. in Templeton near Lupine Ln. Intersection.)

Return this letter with your comments attached no later than: 9/20/04

PART I IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?
☒ YES (Please go on to Part II)
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?
☒ NO (Please go on to Part III)
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Clifford Orchard Tract - May 14, 1924 - Legal Lot

9/8/04 Date
J.S. Nanson Name
X Holo Phone

